

Nos. 2015-1769, -1770, - 1771

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

INTELLECTUAL VENTURES I LLC,

Plaintiff-Appellant

v.

SYMANTEC CORP.,

Defendant-Cross-Appellant

TREND MICRO INCORPORATED, TREND MICRO, INC., (USA),

Defendants-Appellees

INTEL CORPORATION

Defendant.

Appeals from the United States District Court for the District of Delaware in
Case Nos. 1:10-cv-01067-LPS and 1:12-cv-01581-LPS, Chief Judge Leonard P.
Stark.

UNOPPOSED MOTION TO REVISE CAPTION

Yar R. Chaikovsky
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Counsel for Defendants-Appellees
Trend Micro Incorporated and Trend Micro, Inc. (USA)

CERTIFICATE OF INTEREST

Counsel for Appellee Trend Micro, Inc. (USA) and Trend Micro

Incorporated, certifies the following:

1. The full name of every party or amicus represented by me is: Trend Micro, Inc. (USA) and Trend Micro Incorporated
2. The name of the real party in interest (If the party named in the caption is not the real party in interest) represented by me is: N/A
3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are: Trend Micro, Inc. (USA) is a wholly owned subsidiary of Trend Micro Incorporated
4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are: Paul Hastings LLP- Yar R. Chaikovsky, D. Stuart Bartow, Bryan James, Bruce Yen, Blair Jacobs, Donald Morrow, Allan Soobert, Soyoung Jung, Sophie Sung; McDermott Will & Emery LLP- Christopher Bright, David Larson, Michael Martin, David Beckwith, Daniel Greene; Morris, Nichols, Arsht & Tunnell LLP- Karen Jacobs, Michael Flynn, Richard John Bauer.

Dated: August 14, 2015

By: /s/ Yar R. Chaikovsky

Yar R. Chaikovsky

Counsel for Defendants-Appellees
Trend Micro Incorporated and Trend
Micro, Inc. (USA)

Pursuant to the Federal Circuit Practice Notes to Rule 12, Fed. R. App. P., Trend Micro, Incorporated and Trend Micro, Inc. (USA) (collectively, “Trend Micro”) move the Court to revise the official caption provided in the Order dated June 23, 2015 in Appeal No. 2015-1769 because of the following error.

In the official caption Intel Corporation (“Intel”) is listed as a party to this appeal. Intel was not a party below (*see* D.I. 424 (listing Intel as non-party)), and is not a party to this appeal. Defendant McAfee, Inc. (“McAfee”), which was acquired by Intel during the pendency of the litigation below, was dismissed with prejudice on October 12, 2012. *See, e.g.*, D.I. 381-82 (order terminating McAfee). Intel continued to be listed on the docket thereafter, apparently in error. *See* D.I. 437, 438, 439, 497, 595 (listing Intel on docket line entry, but McAfee in case headings of documents filed). In light of the foregoing, Trend Micro respectfully requests that the official caption be revised to remove any reference to non-party Intel Corporation.

Lead Counsel for Appellant Intellectual Ventures I, LLC and for Appellee/Cross-appellant Symantec Corporation, the other two parties to these consolidated appeals, have confirmed that those parties do not oppose this Motion.

Dated: August 14, 2015

By: /s/ Yar R. Chaikovsky

Yar R. Chaikovsky

Counsel for Defendants-Appellees
Trend Micro Incorporated and Trend
Micro, Inc. (USA)

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2015, I caused the foregoing **Unopposed Motion to Revise Caption** to be served by electronic means through the Court's CM/ECF system on counsel for all parties to this consolidated appeal who are registered CM/ECF users.

/s/ Yar R. Chaikovsky
Yar R. Chaikovsky